

\_\_\_\_\_ BILL NO. \_\_\_\_\_

INTRODUCED BY \_\_\_\_\_  
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT TIE VOTES IN ELECTIONS FOR PUBLIC OFFICE BE BROKEN BY A COIN TOSS; AND REPEALING SECTIONS 13-16-501, 13-16-502, 13-16-503, 13-16-504, 13-16-505, 13-16-506, AND 13-16-507, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Tie votes for candidates broken by coin toss.** (1) (a) Except as provided in subsection (1)(b) and unless otherwise specifically provided by law, if there is a tie vote after a recount in any election for a public office, including a school election under Title 20, chapter 20, the secretary of state shall break the tie by a coin toss.

(b) If the secretary of state is one of the candidates involved in the tie vote, the governor shall toss the coin.

(2) The coin toss must be conducted in public.

**NEW SECTION. Section 2. Repealer.** Sections 13-16-501, 13-16-502, 13-16-503, 13-16-504, 13-16-505, 13-16-506, and 13-16-507, MCA, are repealed.

**NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 13, chapter 16, part 5, and the provisions of Title 13, chapter 16, part 5, apply to [section 1].

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